

# BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

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**INTELLECTUAL PROPERTY LAW**  
**12400 WILSHIRE BOULEVARD, 7TH FLOOR**  
**LOS ANGELES, CA 90025**

FACSIMILE: (714) 557-3347

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## **FACSIMILE COVER SHEET**

SEP 28 2004

Deliver to: Jacob K. Ackun, USPTO

Art Group: 3712

Facsimile No.: 703 872-9306

Date: September 28, 2004

**From:** William E. Alford, Reg. No. 37,764

Our Docket No.: 78781P031

Number of pages 56 including this sheet.

Application No.: 10/042,669

Filing Date: 1/9/2002

Docket Due Date(s): 9/28/2004

**Enclosed are the following documents:**

- Amendment: \_\_\_\_\_ Response ( 51 pgs)
  - Appeal Brief (in triplicate) ( \_\_\_\_ pgs)
  - Application: \_\_\_\_\_  
( \_\_\_\_ pgs) w/cover & abstract)
  - Assignment & Cover Sheet ( \_\_\_\_ pgs)
  - Certificate of Facsimile \_\_\_\_\_
  - Continued Prosecution Application (CPA)
  - Declaration & POA ( \_\_\_\_ pgs)
  - Drawings: \_\_\_\_ sheets, \_\_\_\_ figures
  - Extension of Time: \_\_\_\_ one (1) month
  - Fee Transmittal (in duplicate)
  - IDS & PTO/SB/08 ( \_\_\_\_ pgs)
  - Other \_\_\_\_\_

- Issue Fee Transmittal
  - Notice of Appeal
  - Petition for: \_\_\_\_\_
  - Request for Continued Examination (RCE)
  - Reply Brief ( \_\_\_\_pgs)
  - Request & Certification Under 35 USC 122(b)(2)(B)(i)
  - Request to Rescind Previous Nonpublication Request
  - Response to Notice of Missing Parts & Formalities Letter
  - Response to Written Opinion ( \_\_\_\_pgs)
  - Terminal Disclaimer
  - Transmittal of Publication Fee Due
  - Transmittal Letter

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I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States Patent and Trademark Office.

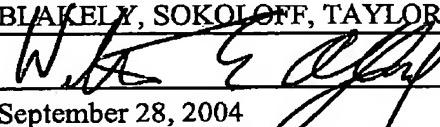
Pat Sullivan 09/28/2004  
Pat Sullivan Date

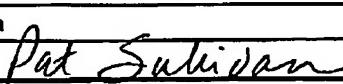
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/042,669
Total Number of Pages in This Submission	56	Filing Date	January 9, 2002
		First Named Inventor	David Small
		Art Unit	3712
		Examiner Name	Jacob K. Ackun
		Attorney Docket Number	78781P031

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks <div style="border: 1px solid black; height: 40px; width: 100%;"></div>		
Facsimile Transmittal Sheet		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William E. Alford, Reg. No. 37,764 BLAKEY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	September 28, 2004

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being transmitted via facsimile on the date shown below to the United States Patent and Trademark Office.			
Typed or printed name	Pat Sullivan		
Signature			
Date	September 28, 2004		

Based on PTO/SB/21 (04-04) as modified by Blakey, Sokoloff, Taylor & Zafman (WTR) 06/04/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

## **FEE TRANSMITTAL for FY 2004**

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$ 303.00)

<i><b>Complete If Known</b></i>	
Application Number	10/042,669
Filing Date	January 9, 2002
First Named Inventor	David Small
Examiner Name	Jacob K. Ackun
Art Unit	3712
Attorney Docket No.	78781P031

**METHOD OF PAYMENT** (check all that apply)

Check       Credit card       Money Order       Other       None  
 Deposit Account

**Deposit  
Account  
Number** 02-2666

**Deposit  
Account  
Name** Blakely, Sokoloff, Taylor & F.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below       Credit any overpayments

Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

Charge fee(s) indicated below, except for the filing fee  
in the claim identified deposit account

## **FEE CALCULATION**

**1. BASIC FILING FEE**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee Code	(\\$)	(\\$)
1001	770	2001	385 Utility filing fee
1002	340	2002	170 Design filing fee
1003	530	2003	285 Plant filing fee
1004	770	2004	385 Release filing fee
1005	180	2005	60 Provisional filing fee

## **2. EXTRA CLAIM FEES**

Large Entity		Small Entity		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	88	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple Dependent claim, if not paid
1204	88	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

For a number of previously sold 3-meter Eas-Pak boxes, see below.

**SUBTOTAL (2)** (3) 248.00

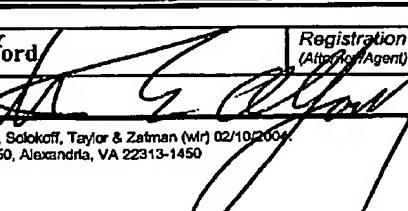
**SUBMITTED BY**

Name (Print/Type)	William E. Alford	Registration No. (Attorney/Agent)	37,764	Telephone	(714) 557-3800
Signature				Date	09/28/04

Based on PTO/SB/17 (10-03) as modified by Blakeley, Solokoff, Taylor & Zupman (w/r) 02/10/2004.  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

<b>FEE TRANSMITTAL for FY 2004</b>		<i>Complete if Known</i>	
<i>Effective 10/01/2004. Patent fees are subject to annual revision.</i>			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Application Number	10/042,669
		Filing Date	January 9, 2002
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		Attorney Docket No.	78781P031
<b>TOTAL AMOUNT OF PAYMENT</b>		<b>(\\$)</b>	<b>303.00</b>

<b>METHOD OF PAYMENT (check all that apply)</b>		<b>FEE CALCULATION (continued)</b>																																																																																																																																																																	
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> <th></th> <th></th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2061</td> <td>85</td> <td>Surcharge - late filing fee or oath</td> </tr> <tr> <td>1052</td> <td>50</td> <td>2052</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet.</td> </tr> <tr> <td>2053</td> <td>130</td> <td>2053</td> <td>130</td> <td>Non-English specification</td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for ex parte reexamination</td> </tr> <tr> <td>1804</td> <td>920*</td> <td>1804</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>1805</td> <td>1,840*</td> <td>1805</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>1251</td> <td>110</td> <td>2251</td> <td>55</td> <td>Extension for reply within first month</td> </tr> <tr> <td>1252</td> <td>420</td> <td>2252</td> <td>210</td> <td>Extension for reply within second month</td> </tr> <tr> <td>1253</td> <td>950</td> <td>2253</td> <td>475</td> <td>Extension for reply within third month</td> </tr> <tr> <td>1254</td> <td>1,480</td> <td>2254</td> <td>740</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td>1255</td> <td>2,010</td> <td>2255</td> <td>1,005</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td>1404</td> <td>330</td> <td>2401</td> <td>165</td> <td>Notice of Appeal</td> </tr> <tr> <td>1402</td> <td>330</td> <td>2402</td> <td>165</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>1403</td> <td>290</td> <td>2403</td> <td>145</td> <td>Request for oral hearing</td> </tr> <tr> <td>1451</td> <td>1,510</td> <td>2451</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td>1452</td> <td>110</td> <td>2452</td> <td>65</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td>1453</td> <td>1,330</td> <td>2453</td> <td>865</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>1501</td> <td>1,330</td> <td>2501</td> <td>865</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td>1502</td> <td>480</td> <td>2502</td> <td>240</td> <td>Design issue fee</td> </tr> <tr> <td>1503</td> <td>640</td> <td>2503</td> <td>320</td> <td>Plant issue fee</td> </tr> <tr> <td>1460</td> <td>130</td> <td>2460</td> <td>130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>1807</td> <td>60</td> <td>1807</td> <td>50</td> <td>Prosecution fee under 37 CFR 1.17(q)</td> </tr> <tr> <td>1808</td> <td>180</td> <td>1808</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>1809</td> <td>770</td> <td>1809</td> <td>385</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> </tr> <tr> <td>1810</td> <td>770</td> <td>2810</td> <td>385</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> </tr> <tr> <td>1801</td> <td>770</td> <td>2801</td> <td>385</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td>1802</td> <td>900</td> <td>1802</td> <td>900</td> <td>Request for expedited examination of a design application</td> </tr> <tr> <td colspan="4">Other fee (specify) _____</td> </tr> <tr> <td colspan="2">*or number previously paid, if greater. For Reissues, see below</td> <td colspan="2">SUBTOTAL (3)      (\$)</td> </tr> <tr> <td colspan="2"></td> <td colspan="2">SUBTOTAL (3)      (\$)</td> </tr> </tbody> </table>		Large Entity	Small Entity			Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2061	85	Surcharge - late filing fee or oath	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	2053	130	2053	130	Non-English specification	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	420	2252	210	Extension for reply within second month	1253	950	2253	475	Extension for reply within third month	1254	1,480	2254	740	Extension for reply within fourth month	1255	2,010	2255	1,005	Extension for reply within fifth month	1404	330	2401	165	Notice of Appeal	1402	330	2402	165	Filing a brief in support of an appeal	1403	290	2403	145	Request for oral hearing	1451	1,510	2451	1,510	Petition to institute a public use proceeding	1452	110	2452	65	Petition to revive - unavoidable	1453	1,330	2453	865	Petition to revive - unintentional	1501	1,330	2501	865	Utility issue fee (or reissue)	1502	480	2502	240	Design issue fee	1503	640	2503	320	Plant issue fee	1460	130	2460	130	Petitions to the Commissioner	1807	60	1807	50	Prosecution fee under 37 CFR 1.17(q)	1808	180	1808	180	Submission of Information Disclosure Stmt	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	1801	770	2801	385	Request for Continued Examination (RCE)	1802	900	1802	900	Request for expedited examination of a design application	Other fee (specify) _____				*or number previously paid, if greater. 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<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>		
Name (Print/Type)	William E. Alford	Registration No. (Attorney/Agent)	37,764	Telephone (714) 557-3800
Signature			Date	09/28/04

Based on PTO/SB/17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (M/F) 02/10/2004  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450